

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ADAM WALTER CAMPBELL,

Defendant.

CR 18-05-BU-DLC

ORDER

United States Magistrate Judge Jeremiah C. Lynch entered Findings and Recommendation in this matter on January 15, 2019. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Lynch recommended this Court accept Adam Walter Campbell’s guilty plea after Campbell appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of using and

maintaining premises for manufacturing and distributing marijuana in violation of 21 U.S.C. § 856(a)(1) as set forth in Count III of the Indictment. In lieu of the forfeiture allegation in the Indictment, Defendant agrees to the entry of a money judgment of \$100,000 subject to the conditions described in the parties' Plea Agreement. In forfeiture allegation in the Indictment.

I find no clear error in Judge Lynch's Findings and Recommendation (Doc. 51), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Adam Walter Campbell's motion to change plea (Doc. 42) is GRANTED and Adam Walter Campbell is adjudged guilty as charged in Count III of the Indictment.

DATED this 31st day of January, 2019.



Dana L. Christensen, Chief District Judge
United States District Court